

ATTORNEY DOCKET NO: 56356RCE5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : TERASHIMA et al.
Serial No : 08/964,257
Confirm. No : 2047
Filed : November 4, 1997
For : APPARATUS EQUIPPED...
Art Unit : 2625
Examiner : NGUYEN, MADELINE ANH VINH
Dated : August 7, 2007

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

APPEAL BRIEF

(1) REAL PARTY IN INTEREST.

The real party in interest is Fujitsu Limited.

(2) RELATED APPEALS AND INTERFERENCES.

There are believed to be no related appeals or interferences.

(3) STATUS OF CLAIMS.

Claims 7-10, 19-25, 34-36, 38-50 and 52-61 are on appeal.

Claims 1-6, 11-18, 26-33, 37, 51 and 62-69 have been canceled.

Claims 7-9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Tajima (JP

403003030A).

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima, and further in view of Shimizu (US 5,663,811).

Claims 19-25, 34-36, 46-50 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of Shimizu.

Claims 38-40, 42-45 and 52-61 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu.

Claim 41 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Shimizu, and further in view of Tajima.

(4) STATUS OF AMENDMENTS.

The amendment after final rejection filed April 30, 2007 was not entered for purposes of appeal.

(5) SUMMARY OF THE CLAIMED SUBJECT MATTER

CLAIM 7:

Claim 7 is directed to a printer/scanner apparatus. The apparatus comprises a base apparatus 3 (page 3, line 18; page 8, line 28). The base apparatus 3 includes a first sheet transporting path 30 (Figure 8; page 14, line 6) extending substantially vertically (Figure 8; page 4, lines 17-19). The base apparatus 3 performs a first processing for a sheet traveling downward along all of the length of the first sheet transporting path 30 (Figure 8; page 14,

lines 3-7). A scanner apparatus 1 (page 8, lines 27-29) is removably mounted (page 8, lines 24-32) on the base apparatus 3. The scanner apparatus 1 includes a reading element 25 (page 12, lines 34-35). A second sheet transporting path 31 (page 14, lines 13-16) extends substantially vertically (Figure 8; page 4, lines 20-21). The second sheet transporting path 31 is defined by a surface of the scanner apparatus 1 on which the reading element 25 is provided and a surface of the base apparatus 1 which faces to the scanner apparatus 1 when the scanner apparatus 1 is mounted on the base apparatus 3 (Figure 2; page 4, lines 25-30). A second sheet travels downward along all of the length of the second transporting path 31 (Figure 2; Figure 8; page 14, lines 13-15). The scanner apparatus 1 includes a pick roller 10 (page 10, lines 9-10) provided at a location upstream of the second sheet transporting path 31 as viewed in a sheet transporting direction (Figure 2; page 4, lines 31-35). The scanner apparatus 1 includes a feed roller 11 (page 10, lines 9-10) provided at a location downstream of the second sheet transporting path 31 (page 4, line 36 through page 5, line 1). The first and second sheet transporting paths 30, 31 are provided along and adjacent and nearly parallel to each other at their straight guide parts of the upper portion of each respective transporting path 30, 31 (Figure 8; page 4, lines 21-24). A first sheet delivery port 5 (page 9, lines 2-4) and a second sheet delivery port 7 (page 9, lines 8-13) are provided at the same side of the apparatus (Figure 8). The scanner apparatus 1 operates as a hand scanner when the scanner apparatus 1 is detached from the base apparatus 3 (Figure 1A; page 8, lines 30-32).

CLAIM 8:

The scanner apparatus 1 is specified in claim 8 as having a protecting member 22a (page 12, line 22) provided in a manner projecting at a side of the surface of the scanner apparatus 1 (Figure 6; page 5, lines 4-6) to protect the pick roller 10 from collapsing with the weight of the scanner apparatus when the scanner apparatus 1 is used as a hand scanner (page 5, lines 4-8; page 12, lines 18-26).

CLAIM 9:

The protecting member 22a is specified in claim 9 as being located outside of a reading area of the scanner apparatus 1 (page 12, lines 26-28).

CLAIM 10:

Claim 10 specifies that a groove provided in the surface of the base apparatus 3 faces toward the protecting member 22a (page 5, lines 14-16). The groove receives the protecting member 22a when the scanner apparatus 1 is mounted on the base apparatus 3 (page 5, lines 14-16).

CLAIM 19:

Claim 19 is directed to a printer/scanner apparatus. The apparatus comprises a base unit 3 (page 3, line 18; page 8, line 28). The base unit 3 includes a part of a sheet transporting mechanism (Figure 2; page 4, lines 3-4; page 10, lines 16-22). A scanner apparatus 1 (page 8, lines 27-29) is removably mounted on said base unit 3 (page 8, lines 24-32). The scanner

apparatus 1 includes at least the other part of the sheet transporting mechanism (Figure 2; page 4, lines 5-7; page 10, lines 4-6, 9-12) and a reading element 25 (page 12, lines 34-35). A scanner mounting portion (Figure 3; page 4, lines 3-5) is provided on the base unit 3. The scanner mounting portion is adapted to removably mount the scanner apparatus 1 on the base unit 3 (page 4, lines 3-5). An engaging portion (page 4, lines 5-9) is provided on the scanner apparatus 1. The engaging portion is adapted to engage the scanner mounting portion (page 4, lines 5-9). Either the scanner mounting portion of the base unit 3 or the engaging portion of the scanner apparatus 1 is a pivotal shaft 18b (page 6, lines 9-12; page 11, line 3) for allowing the scanner apparatus to rotate frontwards (page 6, lines 9-12), while the engaging portion is in the form of a holding member 18a (page 6, lines 13-15; page 10, lines 34-35) for holding the pivotal shaft 18b.

CLAIM 20:

The scanner apparatus 1 is specified in claim 20 as operating as a hand scanner when the scanner apparatus 1 is detached from the base unit 3 (Figure 1A and Figure 1B; page 8, lines 30-33).

CLAIM 21:

Claim 21 specifies that the apparatus further comprises a lock member 20b (page 6, lines 16-18). The lock member locks the scanner apparatus 1 on the base unit 3 so that the scanner apparatus 1 is mounted on the base unit 3 (page 6, lines 16-20; page 11, line 3).

CLAIM 22:

Claim 22 specifies that the apparatus further comprises a rotation limiting stopper 19a (page 6, lines 21-26; page 11, lines 28-35). The rotation limiting stopper 19a prevents the scanner apparatus from swinging excessively frontwards of the apparatus when the scanner apparatus 1 is attached to or detached from the base unit 3 (page 6, lines 21-26; page 11, lines 31-35).

CLAIM 23:

Claim 23 specifies that the apparatus further comprises a deviation preventing stopper 21b (page 6, lines 27-32; page 11, line 4). The deviation preventing stopper 21b prevents the scanner apparatus 1 from displacing upwardly of the apparatus when scanner apparatus 1 is mounted on the base unit 3 (page 6, lines 29-32; page 11, lines 22-26).

CLAIM 24:

Claim 24 is directed to a printer/scanner apparatus. The apparatus comprises a base unit 3 (page 3, line 18; page 8, line 28). The base unit 3 includes a part of a sheet transporting mechanism (Figure 2; page 4, lines 3-4; page 10, lines 16-22). A scanner apparatus 1 (page 8, lines 27-29) is removably mounted on said base unit 3 (page 8, lines 24-32). The scanner apparatus 1 includes the other part of the sheet transporting mechanism (Figure 2; page 4, lines 5-7; page 10, lines 4-6, 9-12) and a reading element 25 (page 12, lines 34-35). A scanner

mounting portion (Figure 3; page 4, lines 3-5) is provided on the base unit 3. The scanner mounting portion is adapted to removably mount the scanner apparatus 1 on the base unit 3 (page 4, lines 3-5). An engaging portion (page 4, lines 5-9) is provided on the scanner apparatus 1. The engaging portion is adapted to engage the scanner mounting portion (page 4, lines 5-9). A sheet guide 33 is provided on the scanner apparatus 1 (Figure 9; page 6, lines 33-35; page 15, line 10). A sheet guide 32 is provided on the base unit 3 (Figure 9; page 6, lines 33-35; page 15, lines 9-10). The sheet guide 33 and the sheet guide 32 face each other such that a space defined between the two sheet guides 32, 33 becomes gradually narrower toward a sheet withdrawal port 35 (page 6, line 33 through page 7, line 2; page 15, lines 9-14). An offset member 34 is provided for at least one of the two sheet guides 32, 33 for stepwise limiting movement of a sheet toward the sheet withdrawal port 35 (Figure 9; page 7, lines 3-5; page 15, lines 26-30).

CLAIM 25:

The scanner apparatus 1 is specified in claim 25 as operating as a hand scanner when the scanner apparatus 1 is detached from the base unit 3 (Figure 1A and Figure 1B; page 8, lines 30-33).

CLAIM 34:

Claim 34 is directed to a printer/scanner apparatus. The apparatus comprises a base apparatus 3 (page 3, line 18; page 8, line 28). The base apparatus 3 includes a first sheet

transporting path 30 (Figure 8; page 14, line 6) extending substantially vertically (Figure 8; page 4, lines 17-19). The base apparatus 3 performs a first processing for a sheet traveling along the first sheet transporting path 30 (Figure 8; page 14, lines 3-7). A scanner apparatus 1 (page 8, lines 27-29) is removably mounted (page 8, lines 24-32) on the base apparatus 3. The scanner apparatus 1 includes a reading element 25 (page 12, lines 34-35). A second sheet transporting path 31 (page 14, lines 13-16) extends substantially vertically (Figure 8; page 4, lines 20-21). The second sheet transporting path 31 is defined by a surface of the scanner apparatus 1 on which the reading element is provided and a surface of the base apparatus 3 which faces toward the scanner apparatus 1 when the scanner apparatus is mounted on the base apparatus 3 (Figure 2; page 4, lines 25-30). The first sheet transporting path 30 and the second sheet transporting path 31 are provided along and adjacent to each other (Figure 8; page 4, lines 21-24). The scanner apparatus 1 detaches from the base apparatus such that the scanner apparatus 1 operates as a hand scanner (Figure 1A; Figure 1B; page 8, lines 30-33). The base apparatus 3 includes a first sheet guide 32 (Figure 9; page 6, lines 33-35; page 15, lines 9-10) provided at a location upstream of the second sheet transporting path 31 (Figure 8; Figure 9). The scanner apparatus 1 includes a second sheet guide 33 (Figure 9; page 6, lines 33-35; page 15, line 10) provided at a location upstream of the second sheet transporting path 31 (Figure 8; Figure 9). The first and second sheet guides 32, 33 face each other such that a space between the first and the second sheet guides 32, 33 gradually narrows toward the second sheet transporting path 31 (page 6, line 33 through page 7, line 2; page 15, lines 9-14). The first sheet travels downward along all of the path of the first traveling path 30 (page 14, lines 3-7).

The second sheet travels downward along all of the path of the second traveling path 31 (Figure 2; Figure 8; page 14, lines 13-15). A first sheet delivery port 5 (page 9, lines 2-4) and a second sheet delivery port (page 9, lines 8-13) are provided on the same side of the apparatus (Figure 8).

CLAIM 35:

The scanner apparatus 1 is specified in claim 35 as including at least one pick roller 10 (page 10, lines 9-10) provided on a surface where the reading element 25 is provided (Figure 2; Figure 7). The scanner apparatus 1 includes a protecting member 22a (page 12, line 22). The protecting member 22a projects at a side of the surface (Figure 6; page 5, lines 4-6) and protects the pick roller 10 when the scanner apparatus 1 is used as a hand scanner (page 5, lines 4-8; page 12, lines 18-26).

CLAIM 36:

The protecting member 22a is specified in claim 36 as being provided at a location outside of a reading area of the scanner apparatus 1 (page 12, lines 26-28).

CLAIM 38:

Claim 38 is directed to a multiple function apparatus. The apparatus comprises a base unit 3 (page 3, line 18; page 8, line 28). A first transporting guide 30 (Figure 8; page 14, line 6) is located on the base unit 3. The first transporting guide 30 includes a straight guide part

(Figure 8) and a deflecting guide part (Figure 8). The straight guide part of the first transporting guide 30 is formed so as to transport a first sheet straight and is open at one end (Figure 8). The deflecting guide part of the first transporting guide 30 is connected to the straight guide part at a side opposite the one end so as to transport a first sheet in a direction different from a direction of transport effected by the straight guide part (Figure 8). A first apparatus 28 (Figure 8; page 14, lines 7-8) is provided at the deflecting guide part (Figure 8). The apparatus 28 performs processing for the first sheet when the first sheet is transported along the deflecting guide part of the first transporting guide 30 (page 14, lines 7-8). A second transporting guide 31 (page 14, lines 13-16) is provided along the first transporting guide 30 (Figure 8) such that the second transporting guide 31 transports a second sheet (Figure 8; page 14, lines 13-15). A second apparatus is provided at the second transporting guide 31 (Figure 8). The second apparatus performs processing for the second sheet when the second sheet is transported along the second transporting guide 31 (page 8, lines 27-29). The second apparatus is a scanner apparatus 1 (page 8, lines 27-29). The scanner apparatus 1 is removably mounted on the base unit 3 (page 8, lines 24-32). The scanner apparatus 1 includes a reading element 25 (page 12, lines 34-35). The scanner apparatus 1 operates as a hand scanner when the scanner apparatus 1 is detached from the base unit 3 (Figure 1A; Figure 1B; page 8, lines 30-33). A portion of the second transporting guide 31 which faces to the deflecting guide part is movable such the first apparatus can be exposed (Figure 1A; Figure 1B).

CLAIM 39:

The second apparatus is specified in claim 39 as being provided opposite the first transporting guide 30 with respect to the second transporting guide 31 (Figure 8).

CLAIM 40:

Claim 40 specifies that a direction of transport of the first sheet effected by the straight guide part and a direction of transport of the second sheet effected by a portion of the second transporting guide 31 which faces the straight guide part forms an angle smaller than 90 degrees with the vertical direction when the multiple function apparatus is provided for use (Figure 8).

CLAIM 41:

Claim 41 specifies that the apparatus further comprises a first transporting mechanism (page 4, lines 3-4; page 6, lines 2-4). The first transporting mechanism transports the first sheet from the straight guide part of the first transporting guide 30 toward the deflecting guide part (Figure 8). The apparatus also comprises a second transporting mechanism (page 4, lines 3-4). The second transporting mechanism transports the second sheet by the second transporting guide 31 such that the second sheet is transported in substantially a same direction as the first sheet (Figure 8). The apparatus further comprises a first sheet delivery port 5 (page 9, lines 2-4) for delivery of the first sheet from the apparatus. The first sheet delivery port 5 is located downstream of the deflecting guide part as viewed in a direction of transport of the first sheet (Figure 8). A second sheet delivery port 7 (page 9, lines 8-13) is provided for delivery of the second sheet from the apparatus. The second sheet delivery port is located downstream of the

second transporting guide 31 as viewed in a direction of transport of the second sheet (Figure 8). The first and second sheet delivery ports 5, 7 are provided on the same side of the apparatus (Figure 8).

CLAIM 42:

The second transporting guide 31 is specified in claim 42 as being closer to the front side of the apparatus than the first transporting guide 30 (Figure 8). The first apparatus 28 is an image forming apparatus (page 14, lines 7-8). The second apparatus is a scanner 1 (page 8, lines 27-29). A sheet accommodating part 4 (page 14, lines 27-29) is provided at a location upstream of the first transporting guide 30 as viewed in the sheet transporting direction (Figure 8). The sheet accommodating part 4 accommodates a plurality of sheets to be fed to the first transporting guide 30 (page 14, lines 27-29).

CLAIM 43:

A portion of the second transporting guide 31 which faces to the deflecting guide part is specified in claim 43 as serving as a part of a cover of the apparatus and covers the image forming apparatus (page 14, line 34 through page 15, line 1).

CLAIM 44:

A portion of the second transporting guide 31 which faces the deflecting guide part is specified in claim 44 as being movable so that the image forming apparatus 28 can be exposed

(Figure 1A; Figure 1B).

CLAIM 45:

The first apparatus and the second apparatus are specified in claim 45 as being provided in such a positional relation as to overlap each other in the vertical direction when the apparatus is in use (Figure 8).

CLAIM 46:

Claim 46 is directed to a printer/scanner apparatus. The apparatus comprises a base unit 3 (Figure 1A; page 3, line 18; page 8, line 28). A scanner apparatus 1 (Figure 1B; page 8, lines 27-29) is removably mounted on the base unit 3 (Figure 1B; Figure 8; page 8, lines 24-32). The scanner apparatus includes a reading element 25 (page 12, lines 34-35). A scanner mounting portion (Figure 3; page 4, lines 3-5) is provided on the base unit 3. The scanner mounting portion is adapted to removably mount the scanner apparatus 1 on the base unit 3 (page 4, lines 3-5). An engaging portion (page 4, lines 5-9) is provided on the scanner apparatus 1. The engaging portion is adapted to engage the scanner mounting portion (page 4, lines 5-9). A sheet transporting path 31 (page 14, lines 13-16) is defined by a surface of the scanner apparatus 1 on which the reading element 25 is provided and a surface of the base unit 3 which faces to the scanner apparatus 1 when the scanner apparatus 1 is mounted on the base unit 3 (Figure 2; page 4, lines 25-30). The engaging portion and the scanner mounting portion hold the scanner apparatus 1 such that the scanner apparatus 1 can rotate to a direction so that the

sheet transporting path 31 is open (Figure 3; page 6, lines 9-12).

CLAIM 47:

A sheet transporting direction of the sheet transporting path 31 is specified in claim 47 as being substantially vertical (Figure 8; page 4, lines 20-21). The engaging portion and the scanner mounting portion hold the scanner apparatus 1 such that the scanner apparatus 1 can rotate about a lower portion thereof when mounted on the base unit 3 (page 11, lines 7-15).

CLAIM 48:

Claim 48 specifies that the apparatus comprises a lock member 20b (page 6, lines 16-18). The lock member locks the scanner apparatus 1 so that the scanner apparatus 1 is mounted on the base unit 3 (page 6, lines 16-20; page 11, line 3).

CLAIM 49:

Claim 49 specifies that the apparatus comprises a rotation limiting stopper 19a (page 6, lines 21-26; page 11, lines 28-35). The rotation limiting stopper 19a prevents the scanner apparatus 1 from swinging excessively (page 6, lines 21-26; page 11, lines 31-35).

CLAIM 50:

The base unit 3 is specified in claim 50 as being an image forming apparatus (page 14, lines 7-8).

CLAIM 52:

Claim 52 is directed to a printer/scanner apparatus. The apparatus comprises a base apparatus 3 (Figure 1A; page 3, line 18; page 8, line 28). A scanner apparatus 1 (Figure 1B; page 8, lines 27-29) is removably mounted on the base apparatus 3 (Figure 1B; Figure 8; page 8, lines 24-32). The scanner apparatus 1 includes a reading element 25 (page 12, lines 34-35). A sheet transporting path 31 (page 14, lines 13-16) is defined by a surface of the scanner apparatus 1 on which the reading element 25 is provided and a surface of the base apparatus 3 which faces toward the reading element 25 when the scanner apparatus 1 is mounted on the base apparatus 3 (Figure 2; page 4, lines 25-30). At least one device is disposed in the base apparatus 3 (Figure 8; page 6, lines 1-4; page 14, lines 7-8). A cover 29 (page 14, lines 34-35) of the base apparatus 3 guides a sheet delivered from the sheet transporting path 31 and covers the device (page 14, line 34 to page 15, line 1). The cover 29 can move so that the device is exposed (page 15, lines 1-5).

CLAIM 53:

Claim 29 specifies that the cover 29 can be opened and closed (page 15, lines 1-5).

CLAIM 54:

Claim 54 specifies that the cover 29 can be removed (page 15, lines 1-5).

CLAIM 55:

The base apparatus 3 is specified in claim 55 as being an image forming apparatus (page 14, lines 7-8).

CLAIM 56:

The base apparatus 3 is specified in claim 56 as being an image forming apparatus (page 14, lines 7-8). A sheet guide 32 of a sheet delivery portion of the image forming apparatus (Figure 9; page 6, lines 33-35; page 15, lines 9-10) and a sheet guide 33 of a sheet delivery portion of the scanner apparatus 1 (Figure 9; page 6, lines 33-35; page 15, line 10) are provided adjacent to each other (Figure 9).

CLAIM 57:

The base apparatus 3 is specified in claim 57 as being an image forming apparatus (page 14, lines 7-8). A sheet guide 32 of a sheet feeding portion of the image forming apparatus (Figure 9; page 6, lines 33-35; page 15, lines 9-10) and a sheet guide 33 of a sheet feeding portion of the scanner apparatus 1 (Figure 9; page 6, lines 33-35; page 15, line 10) are provided adjacent to each other (Figure 9).

CLAIM 58:

The base apparatus 3 is specified in claim 58 as being an image-forming apparatus (page 14, lines 7-8). A sheet feeding portion 6 of the scanner apparatus 1 (page 10, lines 12-17) is

provided frontward with respect to a sheet feeding portion 4 (Figure 1A; page 14, line 29) of the image forming apparatus.

CLAIM 59:

Claim 59 is directed to a multiple function apparatus. The apparatus comprises an image forming apparatus 3 (Figure 1A; page 3, line 18; page 8, line 28). The image forming apparatus 3 includes a sheet transporting path 30 (Figure 8; page 14, line 6) extending substantially vertically (Figure 8; page 4, lines 17-19). A scanner apparatus 1 (page 8, lines 27-29) of an automatic sheet feeding type (page 14, lines 9-13) is provided. The scanner apparatus 1 includes a sheet transporting path 31 (page 14, lines 13-16) extending substantially vertically (Figure 8; page 4, lines 20-21). At least one device is disposed in the image forming apparatus 3 (Figure 8; page 6, lines 1-4; page 14, lines 7-8). The sheet transporting paths 30, 31 of the scanner apparatus 1 and the image forming apparatus 3 are provided adjacent to each other (Figure 8; page 4, lines 21-24). A sheet guide 29 (Figure 8; page 14, lines 34-35) is provided at least at a part of the sheet transporting path 31 of the scanner apparatus 1 (Figure 8). The sheet guide 29 serves as a cover for the device disposed in the image forming apparatus 3 (page 14, line 34 through page 15, line 1). The sheet guide 29 can move such that the device is exposed (page 15, lines 1-5).

CLAIM 60:

The scanner apparatus 1 is specified in claim 60 as being removably mounted on the

image forming apparatus 3 (Figure 1B; Figure 8; page 8, lines 24-32). The scanner apparatus 1 operates as a hand scanner when the scanner apparatus 1 is detached from the image forming apparatus 3 (Figure 1A; page 8, lines 30-32).

CLAIM 61:

The scanner apparatus 1 is specified in claim 61 as including at least one roller or a plurality of rollers for sheet transportation (Figure 2; Figure 4; page 9, lines 5-6). A center of rotation of the scanner apparatus 1 is located at a downstream side (Figure 2), with regard to a direction of sheet transportation of the at least one roller or a plurality of rollers (Figure 8).

(6) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL.

Whether claims 7-9 are rejectable under 35 U.S.C. 102(b) as being anticipated by Tajima (JP 403003030A).

Whether claim 10 is rejectable under 35 U.S.C. 103(a) as being unpatentable over Tajima, and further in view of Shimizu (US 5,663,811).

Whether claims 19-25, 34-36, 46-50 are rejectable under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of Shimizu.

Whether claims 38-40, 42-45 and 52-61 are rejectable under 35 U.S.C. 103(a) as being unpatentable over Shimizu.

Whether claim 41 is rejectable under 35 U.S.C. 103(a) as being unpatentable over

Shimizu, and further in view of Tajima.

(7) ARGUMENT.

ISSUE: Whether claims 7-9 are rejectable under 35 U.S.C. 102(b) as being anticipated by Tajima (JP 403003030A).

The present invention advantageously provides for a scanner unit and a printer unit all in one machine. Two separate document transportation paths are provided. One transportation path is provided for printing while another document transportation path is provided for scanning. The scanner apparatus can advantageously be removed from the base apparatus so that items can be individually scanned. While the scanner is removed, the printer unit can still be used for printing documents. A surface of the scanner apparatus defines the document transportation path of the scanning transportation path. This provides particular advantages in regards to feeding of documents into the scanner. The present invention is advantageously space efficient since a separate printer unit and a separate scanning unit are not required. The prior art as a whole fails to teach or suggest such features or advantages.

Tajima et al. discloses a printer device with a scanner. A placing recessed part 3c for placing a scanner part 2 is formed on a side of the printer device 3. A printing paper insertion port 3a is formed on the upper end face side and a discharge port 3d is formed on the lower end face side. The side part of the printer device 3 is detachably fitted to a disk side 99a through a magnet. The scanner part 2 detachably fitted on the recessed part 3 is connected independently of the printer device 3 through a wire harness 101. An image sensor 2a is

provided in the housing B to scan the surface of an original paper X. Paper is fed to the scanner part 2 via transporting means Z1, Z2 when the scanner part 2 is attached to the printer device 3. The scanner includes a rotary encoder 54.

Tajima et al. fails to teach or suggest a second sheet transporting path that is defined by a surface of a scanner apparatus and a surface of a base apparatus. In the present invention, the surface of the base apparatus is opposite the scanner apparatus when the scanner apparatus is mounted to the base apparatus. As clearly shown in Figure 1 of Tajima et al., the printer device 3 has two molded transporting sheet paths that are defined within the printer itself. Figure 1 of Tajima clearly shows that the scanner part 2 or any surface thereof does not define the second sheet transporting path when the scanner part 2 is mounted to the printer device 3. Further, the attached enlarged copy of Figure 5 of Tajima et al. shows that the recessed portion of the printer body A is located between the housing of the scanner part 2 and the paper X. Figure 5 of Tajima et al. also depicts the housing of the scanner part 2 and the printer body 3 being in contact such that the holes of the scanner part 2 aligns with the holes 4, 80 and 81 of the printer body 3. In contrast to Tajima et al., a surface of the scanner apparatus of the present invention and a surface of the base apparatus define the second sheet transporting path. This advantageously allows the scanner apparatus to be in direct contact with the sheet being scanned, which advantageously provides for better scan quality. This also advantageously allows for the pick roller and the feeding roller located within the scanner apparatus to be in direct contact with paper. This advantageously allows for a uniform feeding force to be applied to the paper so that paper is not distorted while the sheet travels along the second transporting

sheet path. Tajima et al. fails to provide such advantages since both transporting sheet paths are formed by spaces defined within the printer body and are not formed by any surface of the scanner part 2. Tajima et al. teaches that the housing of the scanner part 2 is in contact with the printer body 3 and does not define or form any part of the second transporting sheet path. As such, the prior art as a whole teaches a different approach and fails to suggest the features or advantages of the present invention.

Accordingly, Appellant respectfully requests that the holding be reversed and that the rejection be removed.

ISSUE: Whether claim 10 is rejectable under 35 U.S.C. 103(a) as being unpatentable over Tajima, and further in view of Shimizu (US 5,663,811).

Although Shimizu teaches a facsimile device having automatic detection of regular and manual scanning modes, the references as a whole fail to suggest the combination of features claimed. Specifically, Tajima et al. fail to suggest a second transporting sheet path that is defined by a surface of a scanner apparatus and a surface of a base apparatus. Further, both Tajima et al. and Shimizu provide no teaching for the combination of a groove which receives a protecting member for protecting a pick roller, as featured in the claimed combination. The references together do not suggest the combination of features claimed. One of ordinary skill in the art is presented with various concepts, but these concepts do not provide any direction as to combining the features claimed. All claims define over the prior art as a whole.

Accordingly, Appellant respectfully requests that the holding be reversed and that the

rejection be removed.

ISSUE: Whether claims 19-25, 34-36, 46-50 are rejectable under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of Shimizu.

Shimizu discloses a facsimile device in which a hand scanner 200 is detachably mounted to a device body 100. The hand scanner 200 is connected through a curled cord 200a to the device body 100. A handset 400 is connected through a curled cord 400a to the facsimile device for communicating purposes. When a document 500 is read in the regular scanner mode, it is set in the document insertion unit 100a of the device 100. The hand scanner 200 can be removed from the device body 100 to read a document 500 in the hand scanner mode. By depression of a hand scanner removal button 100b, the hand scanner 200 is removed from the device body 100 and placed on the document 500 and manually scans the document. A release in the depression of the scanner button 201 ends reading by the scanner 200.

As previously discussed above, Tajima et al. fails to teach or provide any motivation for a sheet transporting path defined by a surface of a scanner apparatus as featured in claims 34 and 46. Further, Tajima et al. and Shimizu fail to provide any motivation for a pivotal shaft as featured in claim 19. Shimizu merely discloses a hand scanner 200 that can be removed from a device body 100 by pressing a hand scanner removal button 100b. The hand scanner removal button 100b of Shimizu is not connected to a shaft and does not rotate the hand scanner 200 forward by means of a pivotal shaft as featured in the claimed combination. In contrast to Shimizu, the pivotal shaft of the present invention advantageously rotates the scanner forward

so that the scanner can easily be removed to manually scan a document. Shimizu fails to suggest using a pivotal shaft to mount and dismount the hand scanner 200. The references provide no direction or using teaching of Shimizu to modify Tajima et al. As such, the prior art as a whole does not suggest the features of the claimed combination.

Tajima et al. and Shimizu fail to teach or provide any teaching or suggestion to provide a base apparatus having a first sheet guide and a scanner apparatus having a second sheet guide as featured in claim 24. At most, Shimizu discloses a cover 100c of the device body 100 that is opened so that a sheet of paper can be inserted into the printing unit 4. However, Shimizu fails to suggest a sheet guide provided on the scanner apparatus. In contrast to Shimizu, the present invention provides two separate sheet guides, one that is located on the base unit and another that is located on the scanner apparatus. The sheet guides of the present invention are significant since they advantageously allow paper to be feed into the two separate sheet transporting paths without distorting the paper. Both Tajima et al. and Shimizu fail to provide the advantage of feeding paper smoothly without distortion since both references do not suggest one sheet guide for a base apparatus and another sheet guide for a scanner apparatus.

Accordingly, Appellant respectfully requests that the holding be reversed and that the rejection be removed.

ISSUE: Whether claims 38-40, 42-45 and 52-61 are rejectable under 35 U.S.C. 103(a) as being unpatentable over Shimizu.

Shimizu fails to teach or suggest a sheet transporting path that is defined by a surface of a scanner apparatus and a surface of a base apparatus when the scanner apparatus is mounted to the base apparatus. As clearly shown in Figure 4 of Shimizu, a surface of scanner 5 and a surface of printer body 4 do not form a sheet transporting path as provided in the claimed combination. Further, Shimizu fails to teach or suggest a first transporting guide and a second transporting guide wherein the first transporting guide has a straight guide part and a deflected guide part. In the present invention, the first transporting guide advantageously has a straight part and a deflected part to feed paper so that the paper is feed in an orderly manner without distortion. This advantageously prevents paper jams. In the present invention, the first unit is located at the deflected part of the first transporting guide and the second unit is provided at the second transporting guide. In contrast, Figure 4 of Shimizu clearly shows that the thermal head 41 is not provided at the deflected part of the transporting guide. As such, the prior art as a whole teaches a different approach and fails to provide any motivation for the features of the claimed combination.

Accordingly, Appellant respectfully requests that the holding be reversed and that the rejection be removed.

ISSUE: Whether claim 41 is rejectable under 35 U.S.C. 103(a) as being unpatentable over Shimizu, and further in view of Tajima.

Although Tajima et al. discloses a printer device with a scanner, the references as a whole fail to suggest the combination of features claimed. Specifically, Shimizu fails to teach

or suggest a first transporting guide having a straight guide part and a deflected guide part wherein a first apparatus is located along the deflected guide portion of the first transporting guide. Further, Shimizu provides no teaching of a first apparatus being exposed when the second transporting guide is moved along the deflecting guide portion of the first transporting guide. The references together do not suggest the combination of features claimed. One of ordinary skill in the art is presented with various concepts, but these concepts do not provide any direction as to combining the features claimed. All claims define over the prior art as a whole.

Accordingly, Appellant respectfully requests that the holding be reversed and that the rejection be removed.

Respectfully submitted
for Appellant,



By: _____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

JJM:BMD
56356RCE5-11

DATED: August 7, 2007
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

(8) CLAIMS APPENDIX

7. An apparatus, comprising:

a base apparatus which includes a first sheet transporting path extending substantially vertically and performs a first processing for a sheet traveling downward along all length of said first sheet transporting path; and

5 a scanner apparatus which can be removably mounted on said base apparatus and includes a reading element,

wherein a second sheet transporting path extending substantially vertically is defined by a surface of said scanner apparatus on which said reading element is provided, and a surface of said base apparatus which faces to said scanner apparatus in a case where said scanner
10 apparatus is mounted on said base apparatus, and a second sheet travels downward along all length of the second transporting path;

and wherein said scanner apparatus includes a pick roller provided at a location upstream of said second sheet transporting path as viewed in a sheet transporting direction and includes a feed roller provided at locations downstream of said second sheet transporting path,
15 said first and second sheet transporting paths being provided along and adjacent and nearly parallel to each other at their straight guide parts of the upper portion, and the said first and second sheet delivery ports are provided at a same side of said multiple function apparatus;

and wherein said scanner apparatus is so implemented as to be capable of operating as a hand scanner in a case where said scanner apparatus is detached from said base apparatus.

8. An apparatus according to claim 7, wherein said scanner apparatus has a protecting member provided in a manner projecting at a side of said surface of said scanner apparatus to protect said pick roller from collapsing with the weight of the scanner apparatus in a case where said scanner apparatus is used as a hand scanner.

9. An apparatus according to claim 8, wherein said protecting member is provided at a location outside of a reading area of said scanner apparatus.

10. An apparatus according to claim 8, wherein a groove to receive said protecting member in a case where said scanner apparatus is mounted on the base apparatus is provided in the surface of said base apparatus facing toward said protecting member.

19. An apparatus comprising:

a base unit including a part of a sheet transporting mechanism;

a scanner apparatus which can be removably mounted on said base unit and includes at least the other part of said sheet transporting mechanism and a reading element;

5 a scanner mounting portion provided on said base unit and adapted to removably mount said scanner apparatus on said base unit; and

an engaging portion provided on said scanner apparatus and adapted to engage said scanner mounting portion,

wherein either said scanner mounting portion of said base unit or said engaging portion

of said scanner apparatus is a pivotal shaft for allowing said scanner apparatus to rotate frontwards, while the other is in the form of a holding member for holding said pivotal shaft.

20. An apparatus according to claim 19, wherein said scanner apparatus is so implemented as to be capable of operating as a hand scanner in a case where said scanner apparatus is detached from said base unit.

21. An apparatus according to claim 19, further comprising:

a lock member locking said scanner apparatus in a state mounted on said base unit.

22. An apparatus according to claim 19, further comprising:

a rotation limiting stopper preventing said scanner apparatus from swinging excessively frontwards of said apparatus in a case where said scanner apparatus is attached to or detached from said base unit.

23. An apparatus according to claim 19, further comprising:

a deviation preventing stopper preventing said scanner apparatus from displacing upwardly of said apparatus in a case where said scanner apparatus is mounted on said base unit.

24. An apparatus, comprising:

a base unit including a part of a sheet transporting mechanism;

a scanner apparatus which can be removably mounted on said base unit and includes the other part of said sheet transporting mechanism and a reading element;

5 a scanner mounting portion provided on said base unit and adapted to removably mount said scanner apparatus on said base unit;

and an engaging portion provided on said scanner apparatus and adapted to engage said scanner mounting portion,

10 wherein a sheet guide provided on said scanner apparatus and a sheet guide provided on said base unit are faced to each other, so that a space defined between said two sheet guides becomes gradually narrower toward a sheet withdrawal port, and offset member is provided for at least one of said two sheet guides for stepwise limiting moving of a sheet toward said sheet withdrawal port.

25. An apparatus according to claim 24, wherein said scanner apparatus is so implemented as to be capable of operating as a hand scanner in a case where said scanner apparatus is detached from said base unit.

34. An apparatus, comprising:

a base apparatus which includes a first sheet transporting path extending substantially vertically and performs a first processing for a sheet traveling along said first sheet transporting path; and

5 a scanner apparatus which can be removably mounted on said base apparatus and

includes a reading element, wherein a second sheet transporting path extending substantially vertically is defined by a surface of said scanner apparatus on which said reading element is provided, and a surface of said base apparatus which faces toward said scanner apparatus when said scanner apparatus is mounted on said base apparatus, said first and second sheet transporting paths being provided along and adjacent to each other, and wherein said scanner apparatus may be detached from said base apparatus so as to operate as a hand scanner;

wherein said base apparatus includes a first sheet guide provided at a location upstream of said second sheet transporting path; and said scanner apparatus includes a second sheet guide provided at a location upstream of said second sheet transporting path; and wherein said first and second sheet guides face each other in a manner that a space between said first and the second sheet guides gradually narrows toward said second sheet transporting path, and the first sheet travels downward along all path of the first traveling path, and the second sheet travels downward along all path of the second traveling path; and the said first and second sheet delivery ports are provided at a same side of said multiple function apparatus.

35. An apparatus according to claim 34, wherein said scanner apparatus includes at least one pick roller provided on a surface where said reading element is provided, and a protecting member projecting at a side of said surface and protecting said pick roller when said scanner apparatus is used as a hand scanner.

36. An apparatus according to claim 35, wherein said protecting member is provided at a location outside of a reading area of said scanner apparatus.

38. A multiple function apparatus, comprising:

a base unit;

a first transporting guide on said base unit, said first transporting guide including a straight guide part and a deflecting guide part, said straight guide part being formed so as to transport a first sheet straight and is open at one end, and said deflecting guide part being connected to said straight guide part at a side opposite said one end so as to transport a first sheet in a direction different from a direction of transport effected by said straight guide part;

a first apparatus provided at said deflecting guide part, and performing processing for said first sheet in a case where said first sheet is transported along said deflecting guide part;

a second transporting guide, provided along said first transporting guide, being formed so as to transport a second sheet;

a second apparatus, provided at said second transporting guide, and performing processing for said second sheet in a case where said second sheet is transported along said second transporting guide, said second apparatus being a scanner apparatus which can be removably mounted on said base unit and includes a reading element, said scanner apparatus being implemented as to be capable of operating as a hand scanner in a case where said

scanner apparatus is detached from said base unit;

20 wherein a portion of said second transporting guide which faces to said deflecting guide part is movable, so that said first apparatus can be exposed.

39. A multiple function apparatus according to claim 38, wherein said second apparatus is provided opposite of said first transporting guide with respect to said second transporting guide.

40. A multiple function apparatus according to claim 38, wherein a direction of transport of said first sheet effected by said straight guide part and a direction of transport of said second sheet effected by a portion of said second transporting guide which faces to said straight guide part form an angle smaller than 90 degrees with the vertical direction in a case
5 where said multiple function apparatus is provided for use.

41. A multiple function apparatus according to claim 38, further comprising:
a first transporting mechanism transporting said first sheet from said straight guide part of said first transporting guide toward said deflecting guide part;

a second transporting mechanism transporting said second sheet by said second
5 transporting guide in a manner that said second sheet is transported in substantially a same direction as said first sheet;

a first sheet delivery port for delivery of said first sheet from said multiple function

apparatus, said first sheet delivery port being provided at a location downstream of said deflecting guide part as viewed in a direction of transport of said first sheet; and

10 a second sheet delivery port for delivery of said second sheet from said multiple function apparatus, said second sheet delivery port being provided at a location downstream of said second transporting guide as viewed in a direction of transport of said second sheet, wherein said first and second sheet delivery ports are provided at a same side of said multiple function apparatus.

42. A multiple function apparatus according to claim 40, wherein said second transporting guide is provided closer to the front side of said multiple function apparatus than is said first transporting guide, said first apparatus is an image forming apparatus, said second apparatus is a scanner, a sheet accommodating part is provided at a location
5 upstream of said first transporting guide as viewed in said sheet transporting direction, said sheet accommodating part accommodates a plurality of sheets to be fed to said first transporting guide.

43. A multiple function apparatus according to claim 42, wherein a portion of said second transporting guide which faces to said deflecting guide part serves as a part of a cover of said multiple function apparatus and covers said image forming apparatus.

44. A multiple function apparatus according to claim 42, wherein a portion of said

second transporting guide which faces to said deflecting guide part is movable, so that said image forming apparatus can be exposed.

45. A multiple function apparatus according to claim 38, wherein said first apparatus and said second apparatus are provided in such a positional relation as to overlap each other in the vertical direction in a case where said multiple function apparatus is in use.

46. An apparatus, comprising:

a base unit;

a scanner apparatus which includes a reading element and can be removably mounted on said base unit;

5 a scanner mounting portion provided on said base unit and adapted to removably mount said scanner apparatus on said base unit; and

an engaging portion provided on said scanner apparatus and adapted to engage said scanner mounting portion, wherein a sheet transporting path is defined by a surface of said scanner apparatus on which said reading element is provided, and a surface of said base unit
10 which faces to said scanner apparatus in a case where said scanner apparatus is mounted on said base unit, and said engaging portion and said scanner mounting portion hold said scanner apparatus in a manner that said scanner apparatus can rotate to a direction that said sheet transporting path is open.

47. An apparatus according to claim 46, wherein a sheet transporting direction of said sheet transporting path is substantially vertical, and said engaging portion and said scanner mounting portion hold said scanner apparatus such that said scanner apparatus can rotate about a lower portion thereof in a state mounted on said base unit.

48. An apparatus according to claim 46, further comprising:

a lock member locking said scanner apparatus in a state mounted on said base unit.

49. An apparatus according to claim 46, further comprising:

a rotation limiting stopper preventing said scanner apparatus from swinging excessively.

50. An apparatus according to claim 24, wherein said base unit is an image forming apparatus.

52. An apparatus, comprising:

a base apparatus;

a scanner apparatus which can be removably mounted on said base apparatus and includes a reading element;

5 and a sheet transporting path defined by a surface of said scanner apparatus on which said reading element is provided, and a surface of said base apparatus which faces

toward said reading element in a case where said scanner apparatus is mounted on said base apparatus;

at least one device disposed in said base apparatus; and

10 a cover of said base apparatus guiding a sheet delivered from said sheet transporting path and covering said device;

wherein said cover can move so that said device is exposed.

53. An apparatus according to claim 52, wherein said cover can be opened and closed.

54. An apparatus according to claim 52, wherein said cover can be removed.

55. An apparatus according to claim 52, wherein said base apparatus is an image forming apparatus.

56. An apparatus according to claim 52, wherein said base apparatus is an image forming apparatus, and a sheet guide of a sheet delivery portion of said image forming apparatus and a sheet guide of a sheet delivery portion of said scanner apparatus are provided adjacent to each other.

57. An apparatus according to claim 52, wherein said base apparatus is an image

forming apparatus, and a sheet guide of a sheet feeding portion of said image forming apparatus and a sheet guide of a sheet feeding portion of said scanner apparatus are provided adjacent to each other.

58. An apparatus according to claim 52, wherein said base apparatus is an image-forming apparatus, and a sheet feeding portion of said scanner apparatus is provided frontward with respect to a sheet feeding portion of said image forming apparatus.

59. A multiple-function apparatus, comprising:

an image forming apparatus including a sheet transporting path extending substantially vertically;

a scanner apparatus of an automatic sheet feeding type and including a sheet transporting path extending substantially vertically; and

at least one device disposed in said image forming apparatus;

wherein said sheet transporting paths of said scanner apparatus and said image forming apparatus are provided adjacent to each other, and a sheet guide provided at least at a part of said sheet transporting path of said scanner apparatus serves as a cover for said device disposed in said image forming apparatus and said sheet guide can move so that said device is exposed.

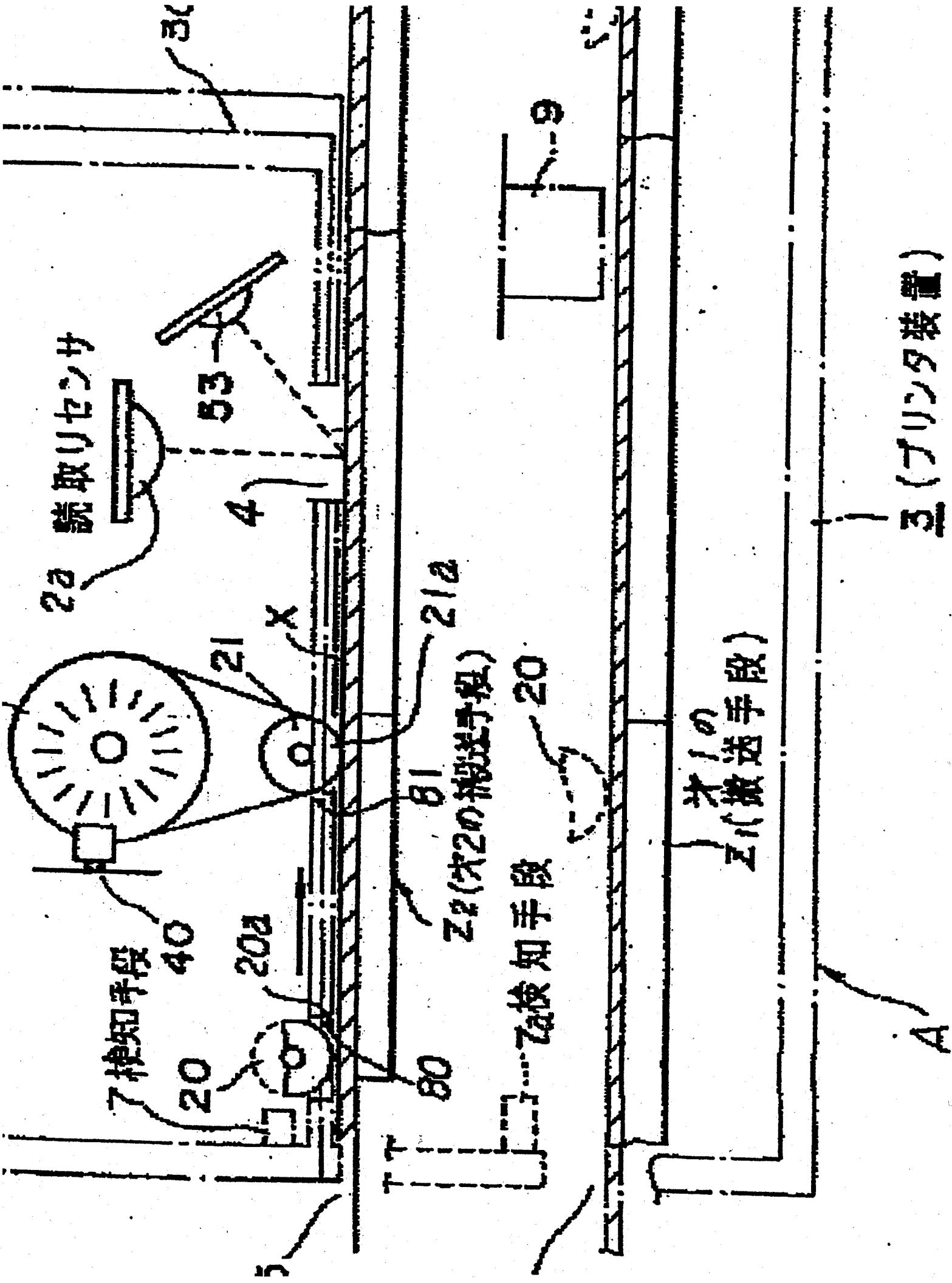
60. A multiple-function apparatus according to claim 59, wherein said scanner

apparatus is removably mounted on said image forming apparatus, and said scanner apparatus is so implemented as to be capable of operating as a hand scanner in a case where said scanner apparatus is detached from said image forming apparatus.

61. An apparatus according to claim 46, wherein said scanner apparatus includes at least one roller or a plurality of rollers for sheet transportation, a center of rotation of said scanner apparatus being located at a downstream side, with regard to a direction of sheet transportation of said at least one roller or a plurality of rollers.

(9) Evidence appendix

Attached is an enlarged copy of Figure 5 of Tajima et al.



(10) Related proceedings appendix

NONE